USM-285 is a 5-part form ເປັນໄປ ເທດ ໂທດກ and print 6 ເດດກະສຸດ ເຮືອງເຄື່ອນ ເສືອງເຄື່ອນ ຄວາມ ຄວາມເຄື່ອນ Celow

U.S. Department of Justice United States Marshals Service

PROCESS RECEIPT AND RETURN

PLAINTIFF Bennie E	. Barne				JRT CASE NUMI		
DEFENDANT Court of	Commun	Reas.	Erie Con	AY U	E OF PROCESS	11182	
✓ NAME OF INT	COUNT COUNT cei or RFD. Aparimei	NV CODDOD ATTON	ETC. TO SERVE OR 1 + 0 T ZIP Code) with Court		Frie, f	O SEIZE OR CONDEMN	
SEND NOTICE OF SERVICE CO.	PY TO REQUESTER	AT NAME AND AD	DRESS BELOW	Number o	f process to be h this Form 285	1	
Bennie E-Barnes 101745 Rt. 18					parties to be his case	2	
		475-000		Check for son U.S.A.		NA	
SPECIAL INSTRUCTIONS OR OT All Telephone Numbers, and Estim	eted Times Available	for Service):	or was sorting.	ELVICE (INCING)	E DUSINESS AND AL	Fold	
Signature of Attorney other Originator SPACE BELOW FOR	in on	[PLAINTIFF DEFENDANT ONLY-DONG	TELEPHONE NU	-	0-16-05	
SPACE BELOW FOR USE OF U.S. MARSHAL ONLY—DO I I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted) Total Process District of Origin No District to Scree			Signature of Autho	porized USMS Deputy or Clerk Date			
hereby certify and return that I had not the individual, company, corporation I hereby certify and return that I are			a ase moivioual, comp	any, corporation, o	etc. shown at the a	the process described ddress inserted below.	
ame and title of individual served (if n	iot shown above)	ndividual, company,	corporation, etc. named	□ A	person of suitable	e age and discretion endant's usual place	
ddress (complete only different than si	hown above)			Date 7		ime am pm	
Total Mileage Chargineluding endeavors		Total Charges	Advance Deposits	Amount owed (Amount of Re	to U.S. Marshal*	Hessy	
EMARKS: Mailed	7/21/05			1			

- 2. USMS RECORD
- 3. NOTICE OF SERVICE
- 4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.

5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285 Rev. 12/15/80 Automated 01/00

USM-285 is a 5-part form: Fill out the form and print 5 copies. Case 1:05-cv-00112-SJM-SPB Document 8 Case 1:05-cv-00112-SJM-U.S. Department of Justice

United States Marshals Service

PROCESS RECEIPT AND RETURN

Bennie E. Baines				COURT CASE NUM		F.
Court of Common (Peas.	Erie Con	nty	TYPE OF PROCESS	c ia	63
SERVE AT NAME OF INDIVIDUAL COMPANY, CON Lyie County ADDRESS (Street or RFD. Apartment No. Con I'do wor 6th 5t. E	~ ~ ~ ~			TON OF PROPERTY T		
SCHOHOTICE OF SERVICE COPY TO REQUESTER AT NAI	ME AND ADD	RESS BELOW	Nun	nber of process to be ed with this Form 285		
Bennie E. Barnes 10145 Rt. 18				aber of parties to be od in this case	2	
Albion, PA. 16475	5-0002		Choc on U	ck for service .S.A.	NIA	
						Fold
Signature of Attorney other Originator requesting service on behalf of		PLAINTIFF DEFENDANT	N	NE NUMBER	DATE ()-16	_
space below for USE of U.S. MAF acknowledge receipt for the total umber of process indicated. Sign only for USM 285 if more tan one USM 285 is submitted) Total Process Origin No	District to Serve	Signature of Author	rized USMS	Deputy or Clerk	Date	
hereby certify and return that I have personally served. have the individual, company, corporation, etc., at the address shown all hereby certify and return that I am unable to locate the individual.	COVE OIL LIE OU	ruc maivianar, compa	ыту, согрога	thon, etc. shown at the a	the process de address inserte	scribed d below.
I hereby certify and return that I am unable to locate the individual ame and title of individual served (if not shown above)	au, company, ex	Orporation, etc. named		A person of suitable then residing in def	c age and disc endant's usual	rction place
ddress (complete only different than shown above) 2				of abode Date T Signature of U.S. Marsi	ime	am pm
Total Mileage Charges including endeavors) Forwarding Fee Total	Charges	Advance Deposits		owed to U.S. Marshal* of Refund*)	or	asy.
MARKS: Mailed 7/21/05			1			

- PRINT 5 COPIES: 1. CLERK OF THE COURT
 - 2. USMS RECORD
 - 3. NOTICE OF SERVICE
 - 4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.

 5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285 Rcv. 12/15/80 Automated 01/00 AO 399 (12/93)

WAIVER OF SERVICE OF SUMMONS

TO:
(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)
I acknowledge receipt of your request that I waive service of a summons in
action of BENNIE E. BARNES V Ct. of Common Personich is case num
• • •
in the United States District Court for the Unit
(DOCKET NUMBER)
District of
I have also received a copy of the complaint in the action, two copies of this instrumer
and a means by which I can return the signed waiver to you without cost to me.
I agree to save the cost of service of a summons and an additional copy of the
complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting
be served with judicial process in the manner provided by Rule 4.
I (or the entity on whose behalf I am acting) will retain all defenses or objections to
the lawsuit or to the jurisdiction or venue of the Court except for objections base on a defect
n the summons or in the service of the summons.
I understand that a judgment may be entered against me (or the party on whose
schalf Lam acting) if an answer or motion under Kule 12 is not served upon you within on
days after by 1 2005, or within 90 days after that date if the request was sent
outside the United States.
7.36-05
7-29-05 (DATE)
Print/Tyned Name 1 1 2
As County folicities of ELE County (Title)
As County Jolicitor of ERE County
(Corporate Defendate)

Duty to shold Unnecessary Costs of Sennos of Summons

Rule 4 of the Federal Rules of Civil Proceduse requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A detendant located in the United States who, after being notified of an action and saked by a plaintiff located in the United States to waive service of summons, tails to do so will be required to bear the cost of such service unless goodicasse be shown for its fullure to sign and return the waive.

It is not good cause for failure to waive service that a party believe to the complaint is unfounded, or that the action has been brought in an improper place or in

a court that lacks jurisdiction over the subject matter of the action or over its person or properly. A party who waves service summons retains all defenses and objections (accept any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought. A defendant who waves service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the Court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waver of service was received.

5-112E ERIE CO. SOLICITOR FOR COURT OF COMMON MEAS

WAIVER OF SERVICE OF SUMMONS

	(NAME OF PLANTIFF'S ATTORNEY OR UNREPRESENTED PLANTIFF)
I acknoted action of Society of S	Device E BARVES V CH of Common Personnich is case number (CAPTION OF ACTION) in the United States District Court for the Court
I have a state	
and a means by	which I can return the signed waiver to you without cost to
l agree to complaint in this la be served with ju	o save the cost of service of a summons and an additional copy of the lawsuit by not requiring that I (or the entity on whose behalf I am acting).
	ntity on whose behalf I am acting) will retain all defenses or objections to ne jurisdiction or venue of the Court except for objections base on a defect or in the service of the summons.
l understan behalf I am actino)	if an answer or motion under Rule 12 is not served upon you within 60
7-29-05 (DATE)	- Shallh
	Print/Typed Name Danab
•	As Country folicitor of FRE Country (Title) Corporate Determine
	s of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summores and

defendant located in the United States who, after being source or an action and extend by a plaintiff fecated in the United States to waive service of summons, talk to be required to beer the cost of such service unless good-cases be shown for its failure to sign and return the waives.

R is not good cause for failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that facility jurisdiction over the subject matter of the action or over its person or property. A party who were service summons retains all defenses and objections are property and respect to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waves service must within the sime specified on the waver form service of the court or to the place where the scion has been brought defendant. By waving service, a defendant is allowed more time to answer than if he summore had been actually served when the request for waver or motion is not served within this time, a default judgment may be been brought defendant. By waving service, a defendant is allowed more time to answer than if he summore had been actually served when the request for waver of service was required.

5-112E ERIE Co. SoliciTOR FOR COURT OF COMMON MERS